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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of **Barker et al**

Application No. 10/099,864

Attorney Docket No. 1032-P02467US1

Filed: March 13, 2002

For: PRE-FILLED SAFETY VIAL INJECTOR

Examiner: Maynard, Jennifer

Group Art Unit: 3763

RESPONSE TO OFFICE ACTION

IN THE CLAIMS

Please cancel claims 3, 5, 9, 21, 21 and 33-53.

Please add claims 61-89 as set forth below.

Please amend the claims as follows.

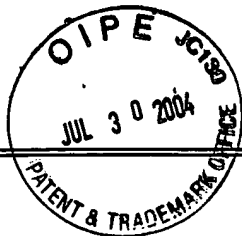
1. (Presently Amended) A medical device for injecting medicinal fluid from a vial having a container and an amount of medicinal fluid, comprising:
 - a hollow barrel;
 - a vial holder displaceable within the barrel having a socket associated with the
~~barrel~~ configured to receive the vial;
 - a needle having a sharpened tip operable between an exposed position in which the sharpened tip projects forwardly from the barrel and a shielded position in which the sharpened tip is shielded from contact; and
 - a transfer chamber within the barrel for receiving the medicinal fluid from the vial, wherein the transfer chamber is adapted to be in fluid communication with the needle;
 - wherein after use, the needle is disposed in the shielded position.

08/02/2004 CCHAU1 00000002 10099864

01 FC:2252 210.00 OP

08/02/2004 CCHAU1 00000002 10099864

02 FC:2202 27.00 OP



FEE TRANSMITTAL

Complete if known

Application Number: 10/099,864

Filing Date: March 13, 2002

First Named Inventor: Barker

Group Art Unit: 3763

Examiner Name: Maynard, Jennifer

Total Amt. of Payment: (1)+(2)+(3)= **\$237**

Attorney Docket Number: 1032-P02467US1

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to:

- ☐ Charge indicated fees
☒ Charge additional fees
☒ Credit overpayments

to the account of DANN, DORFMAN, HERRELL & SKILLMAN
Deposit Account Number 04-1406

2. Payment enclosed:

Check in the amount of \$237

FEE CALCULATION

1. FILING FEE

Fee Description

Utility filing fee _____
Design filing fee _____
Plant filing fee _____
Reissue filing fee _____

Fee

SUBTOTAL (1) \$0

FEE CALCULATION (continued)

ADDITIONAL FEES

Fee Description

Fee Paid

Surcharge-late filing fee or oath _____

Surcharge - late provisional filing fee or cover sheet _____

Extension for response within second month 210

Notice of Appeal _____

Filing a brief in support of an appeal _____

Request for oral hearing _____

Petition to revive unavoidably abandoned appl. _____

Petition to revive unintentionally abandoned appl. _____

Issue fee _____

Petitions to the Commissioner _____

Petitions related to provisional applications _____

Submission of Information Disclosure Stmt. _____

Recording each patent assignment per property _____

Other fee (specify) _____

SUBTOTAL (3) \$210

2. Claims

		Paid		Extra		Fee
Total Claims	63	-60	=	3	x 9	= 27
Independent Claims	5	-5	=	0	x 43	= 0

Multiple Dependent
(First presentation)

SUBTOTAL (2) \$27

Submitted By: Stephen H. Eland

Reg. Number 41,010

Signature

Date July 28, 2004

Deposit Account User ID
04-1406